

REMARKS

Appended to this response is an Appointment of Associate Attorney along with a change of correspondence address to customer number 29683. The entry of this data into the file jacket is respectfully requested.

The specification has been amended to provide the serial numbers and current status of the related applications. Note that the entry for Attorney Docket No. NC30557 has been deleted, as it identifies the instant patent application. Note also that the entry for Attorney Docket No. NC30578 has been deleted, as the undersigned attorney was informed that this particular patent application was not filed.

Claims 1-5 have been rejected under 35 U.S.C. 102(e) as being unpatentable by Watanabe (US 6,539,240). These rejections are respectfully disagreed with, and are traversed below.

The Examiner contends that Watanabe discloses an entity editor connected to an entity player at col. 7, line 64, to col. 8, line 35. The Examiner's characterization of this portion of Watanabe is respectfully disagreed with. What is taught instead is that in FIG. 6B the character "DOG" takes the role of the transmitting user and meets the character "ELEPHANT" who takes the role of the receiving user.

"In this case, the character "DOG" in the transmitting communication device is displayed with an image of a mail added in its mouth and with an image of three lateral parallel lines added behind the character. In this manner, it is expressed that the character "DOG" of the caller brings a message to the user of the receiving communication device. In addition, additional images of three stars are further displayed above the character "ELEPHANT" express that the character "ELEPHANT" of the receiving communication device welcomes the arrival of the message. Though additional images such as lines and stars express a motion or feeling of the character in FIG. 6B, it is also possible to display the character in animation.

Meanwhile, the transmitting communication device 10 receives the image data of the "ELEPHANT" transmitted by return from the receiving communication

device (step A12), after the image data is transmitted in step A11. With use of this image data transmitted by return, an image as shown in FIG. 6B, which expresses two characters meeting each other, is displayed on the display device 21 in the transmitting communication device (step A13).

Thereafter, text data forming the message created in step A1 is transmitted to the receiving communication device like in the above-described case of the image data (step A14), and the dot pattern of the transmitted message is developed and displayed together with the two characters "DOG" and "ELEPHANT", on the display device 21 in the transmitting communication device. In this manner, a scene that the character "DOG" says the message "GOOD AFTERNOON. HOW ARE YOU?" to the character "ELEPHANT" is displayed (step A15). Thereafter, processing (step A17) of waiting an operation on a predetermined key included in the key input device 20 while confirming (step A16) that the image communication depending on the automatic response from the receiving communication device has not spent a predetermined time from when the channel was connected is repeatedly executed."

The Examiner also refers to col. 9, line 46, to col. 10, line 17 with regard to the purported entity editor function of Watanabe.

What is actually disclosed there is the following:

"FIG. 7A shows an example of the image displayed on the display device 21 of the transmitting communication device, expressing that an image expressing symbolically that the character "ELEPHANT" of the receiving communication device nods in response to the key operation instructing the action of "WAG TAIL" in the transmitting communication device as well as a response message "I am sorry not to respond now. My pet responds instead" have been received. Two curves in the left side of the elephant express the action of nodding.

Thereafter, in the transmitting communication device 10, the processing returns to step A16, and a key operation for making the character of the transmitting communication device take an arbitrary action is made. Then, not only a subsidiary screen showing the action is displayed on the display device 21 of the transmitting communication device, but also the image data thereof is transmitted to the receiving communication device 10. In addition, if corresponding image data of the character of the receiving communication device is transmitted by return, the image data is displayed on the display device 21.

FIG. 7B shows that a key operation for making the character "DOG" of the transmitting communication device mod [sic: "nod"] is made from the state

displayed in FIG. 7A. In response to this operation, the receiving communication device automatically sends transmitting data containing a subsidiary image (left and right two lines below the elephant) indicating that the character "ELEPHANT" of the receiving communication device jumps as shown in FIG. 7C. Therefore, even in case where the user of the receiving communication device 10 cannot respond, communication of intentions can be made in a simplified or automatic manner. At this time, not only communication depending on image data using an action of a character is made but also text data corresponding to the action may be sent. Though additional images such as lines express a motion or feeling of the character in FIG. 7B, it is also possible to display the character in animation."

Based on the foregoing, it is clear that Watanabe does not disclose an entity editor *per se*, as disclosed and claimed in the instant patent application, but instead discloses providing a limited animation capability by sending multiple instances of a character or a modification to a character. Referring also to col. 12, lines 28-58, Watanabe discloses providing the user with a limited ability to control the action of a character by the use of predetermined keys, and also a text messaging capability. For example:

"In the transmitting communication device 10, the user can let his or her character take a predetermined action by operating a predetermined key of the key input device 20. If it is determined at step A37 that the key operation is made, an image of the character taking an action corresponding to the operated key is selected and read out (step A38). In place of the character which has been the user's character before, transmitting data in the format shown in FIG. 4 depending on the character image read out is created and transmitted newly to the receiving communication device (step A39), and is also displayed on the display device 21 (step A40). The flow then returns to the processing from step A36 to wait for a next operation.

Meanwhile, upon receipt of the image data (step B38) transmitted from the transmitting communication device, the receiving communication device 10 displays at step B39 this received image data on the display device 21, in place of the image data which has been displayed and then returns to the processing from step B37 to wait for a next operation.

Also, in the transmitting communication device 10, if it is determined at step A41 that a predetermined key is operated to newly create and transmit another message, the new message is created at step A42 by operating the touch panel 22 so as to correspond to a keyboard displayed on the display device 21. Text code data of the created message is transmitted to the receiving communication device

(step A43), and thereafter, the dot pattern of the transmitted message is developed and displayed together with the two characters described above (step A44). Then, the flow returns to the processing from step A36 to wait for a next operation." (emphasis added)

It is clear that Watanabe does not disclose the use of a character editor, in the sense of the entity editor that is disclosed and claimed in the instant patent application.

However, claim 1 has been amended to recite an entity editor "coupled to the entity player for invoking the entity player, said entity editor operable to open the entity to at least one of determine and revise capabilities of the entity". Support for this amendment is found at least in paragraph [0053], and no new matter is added. Based on a reading of Watanabe it should be clear that there is no similar disclosed functionality in Watanabe, that Watanabe thus cannot anticipate claim 1 under 35 U.S.C. 102(e), as all material elements in the claim are not found in Watanabe, and that claim 1 is clearly patentable over Watanabe.

Claim 2 was amended to incorporate the subject matter of claim 3, which was cancelled, and to further recite an "entity editor operable to open the entity to at least one of determine and revise capabilities of the entity". For the reasons argued above with respect to claim 1, claim 2 is also clearly patentable over Watanabe.

Claims 4 and 5 are unchanged. It is pointed out that both refer in part to:

"downloading an entity, wherein the entity is associated with a plurality of commands;
opening the entity in an entity editor to determine the plurality of commands associated with the entity;
selecting at least one command; and
constructing a message from the selected command." (emphasis added)

At least the highlighted subject matter is not expressly disclosed or suggested by Watanabe. That portion of Watanabe referenced by the Examiner (col. 9, lines 47-56, reproduced above) clearly does not expressly state or suggest downloading an entity and then "opening the entity in an entity editor to determine the plurality of commands associated with the entity", as is recited in

claims 4 and 5. The Examiner is thus respectfully requested to reconsider and remove the rejection of claims 4 and 5 as filed, and to also reconsider and remove the rejection of claims 1 and 2, as now clarified by amendment, and to allow all of these claims.

Claims 6-21 are new, and are also deemed to be allowable and patentable over the prior art that was cited and relied upon by the Examiner. For example, claim 6 recites in part a multi-component logical entity that "comprises a body component and a methods component that comprises at least one entity method, where said multi-component logical entity is responsive to said entity player to be invoked by the entity player, and where said entity editor is operable to open the multi-component logical entity to at least one of determine and revise capabilities of the multi-component logical entity". Newly added claim 14 is similar in some respects and further adds in part that the entity editor "invokes the entity player to preview operation of the multi-component logical entity prior to at least one of storing the multi-component logical entity in the memory medium and sending the multi-component logical entity to a receiver". These claimed features are clearly not disclosed or suggested by Watanabe. Support for these claims can be found throughout the specification as filed. For example, support can be found in Figs. 2, 9 and 14, and in paragraphs [0032] to [0070], [00121], [00126], [00139] and [00140]. No new matter is added by the presentation of claims 6-21.

The Examiner is respectfully requested to reconsider the rejections in view of the claims as clarified by amendment and as newly added, and to issue a timely notification of the allowance of claims 1-21.